

REMARKS

Entry of the claim amendments does not introduce new matter into the disclosure. Support for the new claims may be found throughout the specification and claims as originally filed.

No new limitation is added. Accordingly, coverage is maintained for all equivalents of the claimed subject matter for which applicant was previously entitled.

Traverse of Restriction Requirement

Claims 1-22 are pending in this application, and subject to a Restriction Requirement under 35 USC § 121 between claims in three groups.

Applicant respectfully traverses the restriction requirement between Groups I and II. Group I covers depleting undifferentiated cells by binding to a ligand and subsequently separating the cells (Claim 4). Group II covers depleting undifferentiated cells by combining with antibody plus complement to cause lysis of the cells (Claim 5). Each of these is a species of depleting undifferentiated cells (Claim 1, part b). Accordingly, Claim 1 is a generic claim that links these two groups. Reconsideration and withdrawal of the restriction between Groups I and II is respectfully requested.

Applicant does not traverse the restriction between Group III and the other groups.

Election of Group for Examination

Group III (Claims 2-22 as amended) is hereby elected for examination on the merits.

Should the Examiner determine that further restriction of the invention is required, applicant hereby elects Claim 14 for examination, along with any other claims falling within the same group. Should a restriction be made between depleting undifferentiated cells by binding to a ligand and subsequently separating the cells (Claim 4), or by combining with antibody plus complement to cause lysis of the cells (Claim 5), applicant hereby elects the species corresponding to Claim 5.

Election of Species for Examination

Amongst species of surface antigens: heterologous cell surface receptor, glycosyltransferases exemplified by $\alpha(1,3)$ galactosyltransferase, A transferase, and B transferase, and other antigens supported by the specification: applicant hereby elects $\alpha(1,3)$ galactosyltransferase. This election is made without traverse.

Election of Species for Examination

Amongst species of surface antigens: heterologous cell surface receptor, glycosyltransferases exemplified by $\alpha(1,3)$ galactosyltransferase, A transferase, and B transferase, and other antigens supported by the specification: applicant hereby elects $\alpha(1,3)$ galactosyltransferase.

Request for Rejoinder:

Should a restriction be made between the subject matter of Claim 4 and Claim 5, applicant hereby requests that both claims be rejoined into the group under examination upon determination that the claim linking these two groups (Claims 14 and 15) is patentable.

Claim 14 recites a cell surface antigen, which is generic to the species of antigen from which $\alpha(1,3)$ galactosyltransferase has been elected. Upon determination that claim 14 is allowable, applicant requests that the other species of cell surface antigens be rejoined into the group under examination, pursuant to 37 CFR § 1.141.

Conclusion

Applicants respectfully request that the application proceed to examination on the merits, in view of the amendment and remarks made herein.

In the event the Examiner determines that an interview would facilitate prosecution of this application, he is invited to contact applicant's representative at the telephone number indicated below.

Should the Patent Office determine that an extension of time or any other relief is required for further consideration of this application, applicant hereby petitions for such relief, and authorizes the Assistant Commissioner to charge the cost of such petitions and other fees due in connection with the filing of these papers to Deposit Account No. 07-1139, referencing the docket number indicated above.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'DJEarp', with a long, sweeping horizontal stroke extending to the right.

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